CEMEX Southeast, LLC
Pensacola Cement Distribution Terminal
Facility ID No.: 0330093
Escambia County

Air Operation Permit
Permit No.: 0330093-006-AO

Permitting and Compliance Authority
Department of Environmental Protection
Northwest District Office
160 W. Government Street, Suite 308
Pensacola, FL 32502-5740
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[Electronic file name: 0330093-006-AO.doc]

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Florida Department of Environmental Protection
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Pensacola, Florida 32502-5740

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard, Jr.
Secretary

Permittee:
CEMEX Southeast, LLC

Permit No.: 0330093-006-AO
Facility ID No.: 0330093
SIC No(s).: 5032
Project: Air Operation Permit

This renewal permit is for the operation of the Pensacola Cement Distribution Terminal located at 110 East Olive Road in Pensacola, Escambia County; UTM Coordinates: Zone 16, 475.7 km East and 3374.8 km North; Latitude: 30° 30' 24" North and Longitude: 87° 15' 12" West.

STATEMENT OF BASIS: This air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The following Appendices are attached as part of this permit:
Appendix G-1, General Conditions
Appendix O&M, Operation and Maintenance Plan

Effective Date: April 13, 2011
Renewal Application Due Date: February 13, 2016
Expiration Date: April 13, 2016

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

/s/

Rick Bradburn
Air Program Administrator

RB/tk/c

Section I. Facility Information.

This is a renewal of permit 0330093-005-AO, effective July 6, 2006. There have been no changes to the facility since the last renewal.

Subsection A. Facility Description.

This facility is a cement and pozzolan coal-fired combustion fly ash distribution terminal, which includes six 208-ton capacity silos with baghouse filters. Cement or fly ash is received by railcars, which are unloaded by either pneumatic conveyor or pneumatic transfer pump into any of the six silos at a maximum rate of 100 tons per hour, with the facility's maximum throughput rate being 876,000 tons per year. Cement or fly ash is transferred from the silos to trucks for distribution at a maximum rate of 350 tons per hour. Particulate matter (PM) emissions during silo loading are controlled by baghouse filter, one per silo, with the dust collected being conveyed back into its respective silo. PM emissions during truck loading are controlled by an integrated loading spout filter system, with the filtered air exhausted horizontally from the spout during loading.

This facility's potential and projected PM emissions are listed below:

Operations	Throughput (TPY)	EF (lb/Ton)	C/E (%)	Projected emissions	Max. Potential Emissions
Cement loading to silo	876,000	0.72	99.0		
Fly ash loading to silo	876,000	3.14	99.0		13.75
Cement projected to silo	751,000	0.72	99.0	2.7	
Fly ash projected to silo	125,000	3.14	99.0	1.96	
Cement & Fly Ash to truck	876,000	0.61	99.0	2.67	2.67
	TPY:			**7.33**	**16.42**

EF – Emission factor, C/E – Control efficiency
TPY – Tons per Year, % - Percent
Projected – CEMEX's estimated actual cement and fly ash throughputs
(100 ton/hr)(8,760 hr/yr) = 876,000 tons/year of cement and/or fly ash

This facility was regulated by a 5% visible emissions limit for the silos and loading spout filter discharge and no visible emissions from truck loading at the permittee's request. Said request originated in 1988 but was not a rule based requirement. This renewal permit corrects the visible emissions limit to 20% opacity as required by Rule 62-296.320(4)(b)1., F.A.C. There are no Emissions Unit-specific PM limitation or test requirements.

Based on the permit application received March 24, 2011, this facility is not a major source of hazardous air pollutants (HAP).

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
001	Cement and Fly Ash Distribution Terminal

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are on file with permitting authority:
Permit Application received March 24, 2011

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX G-1, GENERAL CONDITIONS, is a part of this permit.

2. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants that cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. [Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standards contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests that identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

5. Permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

a) Paving and maintenance of roads, parking areas and yards.
b) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
c) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
e) Landscaping or planting of vegetation.
f) Confining abrasive blasting where possible.
g) Enclosure or covering of conveyor systems.

[Rule 62-296.320(4)(c), F.A.C.]

6. Sixty days prior to the expiration date of this operation permit, the Permittee shall submit two permit renewal applications using the current version of the renewal form along with the processing fee established in Rule 62-4.050(4), F.A.C., to the Northwest District office of the Department. [Rule 62-4.090, F.A.C.]

7. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Northwest District office:

Department of Environmental Protection
Northwest District Office
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740
Telephone: 850/595-8300; Fax: 850/595-8096

Notification of compliance testing may be submitted by electronic mail to nwdair@dep.state.fl.us.

8. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is 850/595-0578, day or night, and for emergencies involving a significant threat to human health or the environment is 800/320-0519. For routine business, telephone 850/595-8300, then press 3, during normal working hours. [Rules 62-210.700 and 62-4.130, F.A.C.]

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions unit.

E.U. ID No.	**Brief Description**
001	Cement and Fly Ash Distribution Terminal

This facility is a cement and fly ash (pozzolan coal-fired combustion fly ash) distribution terminal. Particulate emissions from unloading railcars into silos are controlled using baghouses and emissions from loading trucks are controlled using a filter integral to the loading spout. This emissions unit is not subject to any unit-specific emissions limiting standards.

The following specific conditions apply to the emissions unit listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Capacity. This facility shall distribute no more than 876,000 Tons per 12-consecutive-month period of cement and pozzolan coal-fired combustion fly ash combined. [Rules 62-4.070 and 62-210.200(PTE), F.A.C.]

A.2. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

A.3. Visible emissions from the silos and from the loading spout filter discharge shall not exceed 20% opacity. [Rules 62-4.070 and 62-296.320(4)(b)1., F.A.C.]

A.4. Visible emissions from the truck loading spout seal during loading, or, from the spout itself after being disengaged from the truck, shall not occur for more than five seconds during the observation period. [Rule 62-4.070, F.A.C.; Appendix O&M]

Test Methods and Procedures

A.5. Visible emissions (VE) tests are required to show compliance with the standards of the Department. The test results must provide reasonable assurance that the source is capable of compliance at maximum loading rates and at representative operational conditions while loading and unloading cement and fly ash. Such tests shall be conducted annually during the federal fiscal year (October 1 – September 30). The Department shall be notified at least 15 days prior to testing to allow witnessing. Results shall be submitted to the Department within 45 days after testing.

Pollutant	Test Method
VE	EPA method 9 (30 minute – silo loading and truck loading)
	EPA method 22 (10 minute--truck loading spout during and after loading)

[Rules 62-4.070, 62-297.310(7), and 62-297.401(9), F.A.C.]

A.6. The Method 9 observation period for each silo and the loading spout filter discharge shall be 30 minutes. [Rules 62-4.070 and 62-297.310(4)(a), F.A.C.]

A.7. The loading spout shall be observed both while the truck is being loaded and immediately after disengaging from the truck. Each Method 22 observation shall be for a minimum period of 10 minutes. [Rules 62-4.070 and 62-297.310(7)(b), F.A.C.]

A.8. The test reports shall comply with applicable portions of F.A.C. Rule 62-297.310, Test Reports. The Department can require special compliance tests in accordance with F.A.C. Rule 62-297.310(7). Other test methods and alternate compliance procedures may be used only after prior Departmental approval has been obtained in writing. [Rules 62-297.310(7) and 62-297.620(1), F.A.C.]

A.9. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of rated capacity. If it is impractical to test at capacity, sources may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the Department. [Rules 62-297.310(2) and 62-4.070, F.A.C.]

Monitoring of Operations

A.10. The six silo baghouses and loading spout filter system shall be operated and maintained in accordance with the manufacturer's recommendations and the site Operation and Maintenance (O&M) plan attached to and made a part of this permit, Appendix O&M. [Rule 62-4.070, F.A.C.]

Recordkeeping and Reporting Requirements

A.11. The owner or operator shall maintain records to document the monthly and rolling 12 consecutive month records of the products (cement and fly ash) distributed through this facility. [Rules 62-4.070 and 62-210.200(PTE), F.A.C.]

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions", and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of:

a. Have access to and copy any records that must be kept under conditions of this permit;
b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

a. A description of and cause of noncompliance; and
b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages that may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the Department approves the transfer.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:
- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used;
- the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.